

HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STARBUCKS CORPORATION, a
Washington corporation,

Plaintiff,

v.

DOES 1-10, inclusive,

Defendants.

Case No. 2:22-cv-01481-JHC

ORDER GRANTING PLAINTIFF
STARBUCKS CORPORATION'S *EX*
PARTE MOTION TO FILE UNDER
SEAL

THIS MATTER came before the Court upon Plaintiff Starbucks Corporation's *Ex Parte* Motion to File Under Seal, which requested this Court to permanently seal discrete portions of the Declaration of Stacia N. Lay in Support of Plaintiff's Second *Ex Parte* Motion for Leave to Seek Limited Discovery, namely, Exhibits 1 to 3 attached thereto. Having reviewed the relevant record, the Court GRANTS Plaintiff's Motion.

When considering whether to seal portions of the court record, "a strong presumption in favor of access is the starting point." *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks omitted). In determining whether there are compelling reasons to seal a court record, "courts should consider all relevant factors, including: the public interest in understanding the judicial process and whether disclosure of the material could result in improper use of the material for scandalous or libelous purposes or infringement upon trade secrets." *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

Compelling reasons may exist to seal “trade secrets, marketing strategies, product development plans, detailed product-specific financial information, customer information, internal reports and other such materials that could harm a party’s competitive standing;” but “courts should exercise caution not [to] allow these exceptions [to] swallow the strong presumption in favor of disclosure.” *In re Apple Inc. Device Performance Litig.*, No. 5:18-md-02827-EJD, 2019 U.S. Dist. LEXIS 68121, *19 (N.D. Cal. Apr. 22, 2019).

The portions of the Lay Declaration that Plaintiff seeks to seal – Exhibits 1 to 3 – reveal confidential documents produced through discovery by non-parties to this litigation. Those documents, designated expressly or implicitly as confidential by the producing third parties, contain subscriber account and financial information. As such, there are sufficiently compelling reasons to keep those materials under seal. Plaintiff has publicly filed the declaration to which the exhibits are attached and the motion which the declaration supports; those public filings are sufficient to meet the public’s interest in knowing non-confidential details of this proceeding.

IT IS SO ORDERED.

DATED this 10th day of March, 2023.



HONORABLE JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented by:

FOCAL PLLC

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s/ Venkat Balasubramani
s/ Jennifer Davis
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